



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,545	02/10/2004	Tarmo Hyttinen	915-013.004	6700

7590 02/02/2007
Ware, Fressola, Van Der Sluys & Adolphson, LLP
Building Five, Bradford Green
755 Main Street
P.O. Box 224
Monroe, CT 06468

EXAMINER

FATEHI, PARHAM R

ART UNIT	PAPER NUMBER
----------	--------------

2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/775,545

Applicant(s)

HYTTINEN, TARMO

Examiner

Parham (Paul) R. Fatehi

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/10/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 16 are pending.

Claim Objections

2. Claims 4-13 & 15-16 are objected to because of the following informalities:

Claim 4 recites "found" in line 2 and should be changed to "the found".

Claim 5 recites the limitation "found" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "a high priority event" in line 1 and recites "a calendar application" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites "found" in line 4 and should be changed to "the found".

Claim 8 recites the limitation "a high priority event" in line 2 and recites "a calendar application" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "a calendar application" in line 1 and recites "a device" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "a calendar application" in line 1 and recites "a device" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "a device" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "a calendar application" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "a high priority event" in line 4 and recites "one or more overlapping events" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "a high priority event" in line 5 and recites "overlapping events" in line 10 and recites "instructions" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "a high priority event" in line 3; and recites "those" in line 5 should be changed to "those events"; and recites "overlapping events" in line 6 and recites "processing alternatives" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Appropriate Correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2 & 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, the term "possible" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

As per Claim 9, line 2 the term "using it" renders the claim indefinite. "It" is a pronoun and use of a pronoun is unacceptable in claimed language. Only what is referred to by the pronoun should be set forth in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2109

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Bates et al.

(US 2003/0103415)

As per Claim 1, Bates discloses:

- **a device for handling a calendar application** (Par. 4, ln. 1-3, electronic calendar application handling)
- **means for browsing a calendar application** (Par. 4, ln. 1-3, electronic calendar application for scheduling meetings where browsing is an inherent feature of modern calendar applications)
- **means for receiving a high priority event to be added to a calendar application** (Par. 7, ln 4-5, "application sets a first meeting schedule and a first meeting priority number associated with the first meeting" for adding to calendar)
- **means for searching possible overlapping events in a calendar application as a response to receiving a high priority event** (Par. 17, ln. 23-25, determination is made as to whether or not there is any schedule conflict / Fig. 2 #22)
- **means for presenting found one or more overlapping events** (Par. 19, ln. 7-9, inform user of meeting overlap)
- **means for receiving instructions for processing certain one or more presented overlapping events** (Fig. 2 / Par. 23, ln. 2-5, instructions guide device to process overlapping events)

- **means for processing overlapping events according to received instructions** (Fig. 2 / Par. 23, In. 2-5, instructions guide device to process overlapping events).

As per Claim 2, Bates discloses:

- **a program component for searching possible overlapping events** (Fig. 2 #22 / Par. 17, In. 23-25, searching for schedule conflicts).

As per Claim 3, Bates discloses:

- **means for associating processing alternatives with found overlapping events** (Par. 17, In. 23-25 & Par. 19, In. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user).

As per Claim 4, Bates discloses:

- **means for presenting to user found one or more overlapping events with one or more selectable processing alternatives associated to those** (Par. 17, In. 23-25 & Par. 19, In. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user).

As per Claim 5, Bates discloses:

- **a program component for processing found overlapping events according to received processing instructions** (Par. 17, In. 1-5, resolving meeting conflicts according to instructions, Fig. 2).

As per Claim 6, Bates discloses:

- **wherein a high priority event is selectable from a menu of a calendar application** (Par. 21, In. 1-2, user can designate priority meeting from a calendar application).

As per Claim 7, Bates discloses:

- **means for searching a memory block storing removed overlapping calendar events as a response to deleting the high priority event from the calendar application, and recovering found, timely matching, previously removed, overlapping events to the calendar application** (Par. 20, ln. 1-8, meeting is stored in memory but inactive until higher priority event is deleted, then the inactive memory returns to active state to replace the deleted event).

As per Claim 8, Bates discloses:

- **means for comparing time associated to a high priority event to a respective time of a calendar application for finding possible overlapping events from the calendar application** (Par. 18, ln. 1-5, comparing time associated to high priority meeting to time of calendar application for finding overlapping meeting from calendar application).

As per Claim 9, Bates discloses:

- **wherein a calendar application is situated in a device using it** (Par. 13, ln. 6-8, calendar application can be maintained in any device on network where device uses calendar application).

As per Claim 10, Bates discloses:

- **wherein a calendar application is situated in a remote device being connected to a device using the calendar application** (Par. 13, ln. 6-8, can be maintained on any device on network, Fig. 1, where any device can maintain calendar application).

As per Claim 11, Bates discloses:

- **wherein the received high priority event is recognized by a central unit of a device** (Par. 17, ln. 22-25, high priority meeting is received and recognized by calendar application device).

As per Claim 12, Bates discloses:

- **wherein the received high priority is recognized by a calendar application**
(Par. 17, In. 22-25, high priority meeting is received and recognized calendar application)

As per Claim 13, Bates discloses:

- **a method for handling a calendar application** (Par. 4, In. 1-3, electronic calendar application handling)
- **receiving a high priority event to be added to a calendar application** (Par. 7, In 4-5, "application sets a first meeting schedule and a first meeting priority number associated with the first meeting to be added")
- **searching possible overlapping events in a calendar application as a response to receiving a high priority event** (Par. 17, In. 23-25, determination is made as to whether or not there is any schedule conflict / Fig. 2 #22)
- **when one or more overlapping events are found, presenting found one or more overlapping events with one or more processing alternatives for processing the found events** (Par. 17, In. 23-25 & Par. 19, In. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user)
- **receiving a processing instruction for one or more presented overlapping events** (Fig. 2 / Par. 23, In. 2-5, instructions guide device to process overlapping events)
- **processing the one or more overlapping events according to the one or more received processing instructions** (Fig. 2 / Par. 23, In. 2-5, instructions guide device to process overlapping events).

As per Claim 14, Bates discloses:

- **a step of adding the received high priority event to the calendar application** (Par. 7, ln 4-5, "application sets a first meeting schedule and a first meeting priority number associated with the first meeting to be added") **and processing the one or more overlapping events** (Fig. 2 / Par. 23, ln. 2-5, instructions guide device to process overlapping events) **according to the one or more received processing instructions as a response to a confirmation by a user** (Par. 17, ln. 23-25 & Par. 19, ln. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user where user must give confirmation by setting such option).

As per Claim 15, Bates discloses:

- **software means for browsing a calendar application** (Par. 4, ln. 1-3, electronic calendar application for scheduling meetings where browsing is an inherent feature of modern calendar applications)
- **software means for receiving a high priority event** (Par. 7, ln 4-5, "application sets a first meeting schedule and a first meeting priority number associated with the first meeting" for adding to calendar)
- **software means for searching possible overlapping events in a calendar application as a response to receiving a high priority event** (Par. 17, ln. 23-25, determination is made as to whether or not there is any schedule conflict / Fig. 2 #22)
- **software means for associating found one or more overlapping events with one or more processing alternatives and software means for receiving selected alternatives as instructions for processing certain one or more presented overlapping events** (Par. 17, ln. 23-25 & Par. 19, ln. 16-19,

determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user)

- **software means for processing overlapping events according to received instructions** (Fig. 2 / Par. 23, ln. 2-5, instructions guide device to process overlapping events).

As per Claim 16, Bates discloses:

- **program component for handling a high priority event** (Par. 4, ln. 1-3, electronic calendar application handling)
- **means for starting a search for possible overlapping events in a calendar application as a response to receiving a high priority event** (Par. 17, ln. 23-25, determination is made as to whether or not there is any schedule conflict / Fig. 2 #22)
- **means for associating the found one or more overlapping events with one or more alternatives for processing those** (Par. 17, ln. 23-25 & Par. 19, ln. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user)
- **means for processing presented overlapping events according to received selections** (Fig. 2 / Par. 23, ln. 2-5, instructions guide device to process overlapping events) **for processing alternatives** (Par. 17, ln. 23-25 & Par. 19, ln. 16-19, determination of schedule conflict causes priority determination to occur and alternative option in processing exists to user).

Conclusion

Art Unit: 2109

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-270-1407. The examiner can normally be reached on M-Th 7:30AM-5PM EST, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das can be reached on (571)272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-270-1000.

Paul Fatehi
Examiner
AU 2109

[Signature] 01/25/07

[Signature]
JENNIFER L. BROWN
PATENT EXAMINER
Art Unit 2162